HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.23198 of 2007

Date: 01-11-2007.

Between :

M/s.Sana Plastic Industries, Dorapalli, Kurnool District,
Rep. by its Proprietrix.

.....Petitioner

And

The Additional Commissioner (CT), Legal, A.P., Hyderabad &
others.

.....Respondents.

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.23198 of 2007

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

Stay application has been dismissed, against which, a revision is filed before 1st respondent. Appeal is also pending. After hearing learned counsel for the parties, we think the interests of justice would have been met if stay was granted pending appeal, subject to deposit of half of the disputed tax and 25% of the penalty. Therefore, we set aside the order of the authority and direct that 50% of the disputed tax liability and 25% of penalty shall be paid by the petitioner within a period of six weeks from today. For six weeks, there shall be an unconditional stay and stay shall continue till disposal of appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already been paid by the petitioner, the same shall be given credit.

Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J

1st November 2007.

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RAMESH RANGANATHAN, J

N.B:

Order by wire at party's cost.

(b/o)

ajr